

A N  
A P P E A L  
47 TO THE  
P U B L I C K,

In Relation to  
An AFFAIR that lately pass'd be-  
tween the Rt. Rev. B<sup>ishop</sup> ~~White~~ *White*,  
Head of the ROMAN CATHOLICK  
MISSION in *England*; and Mr.  
*James Dowdall*.

*K Dowdall (1)*

WHEREIN THE  
Moral and Christian CHARACTERS  
of some of the present and late Missio-  
naries of that Persuasion, are set in a  
clear Light, from Original Letters and  
other Papers.

To which is prefix'd,  
By Way of Preface, the Author's APOLOGY.

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By a moderate Roman Catholick.

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Very proper for the Perusal of all Persons in  
these Times.

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*Hos tu, Romane, Caveto.*

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L O N D O N:  
Printed and Sold by the Booksellers of *London*  
and *Westminster*.

1742





P R E F A C E

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# PREFACE.

**W**HEN Justice cannot be obtain'd by the Oppress'd where Tyranny prevails, an Appeal to the un-bias'd Publick, by which Means Truth is made to appear, and the Ignorant dis-abused, attones in some Measure for the Grievances sustain'd by the Party injured. This Consideration has induced the Author of these *Missionary Letters*, to the *Head of the Mission*, to have Recourse to this Expedient, rather than to proceed against his Oppressors, according to the Laws of the Land, lest from being persecuted by some Members of the Church of *Rome* in a Protestant Country, those very Members and their Adherents, should turn the Tables on him, and stigmatize him with the unchristian Name of Persecutor.

BUT that this *Appeal* may effectually open the Eyes of those who are kept, with Regard to this Affair, hoodwink'd ; besides the unsatisfactory *Answer* from the *Head* of the *Mission*, dated the 31st of *August* 1742, which is a Specimen of the Subterfuges used by those Gentlemen, when press'd to give a Categorical Answer in an Affair so highly disagreeable, as the Subject of the following Letters must be to them ; we cannot omit observing, that when the unfortunate *Appellant* came to *England* in *September* 1723, the *Head* of the *Mission* being then the same that now is, and Mr. *Hansby* also *Provincial*, these Gentlemen were irritated against one another, on Account of the *latter's* Privileges in the *Mission*, of which the *former* would not allow. These Disputes grew to such a Pitch, that they terminated in a Civil War, and Reprisals were made on both Sides, by the uncharitable Tongues, and invenom'd Pens, being the chief Implements of War made Use of by the jarring Missionaries and their Followers, wherever they met with any Opportunity of doing it with Advantage, whose Wounds are Mortal, and

*At ev'ry Word a Reputation dies.*

THE

## P R E F A C E.

THE *Missionary Affairs* being in this crazy Situation, Mr. *Hansby* gave a strict Charge to all those under his Jurisdiction, “to hold no Correspondence with the “*Head* of the *Mission* on any Account “whatsoever; for that having apply’d to “the Court of *Rome* for Redress, &c. he “soon expected, from the Merits of his “Cause, a favourable Decision.”

OUR *Appellant* being more obsequious in his Devoirs to Mr. *Hansby*, on this Occasion, than some of his Brethren had been, who, notwithstanding the Injunctions received from their *Superior* to the contrary, carried on a private Understanding with his Adversaries, he never once attempted to cultivate any Friendship, or even Acquaintance, with the opposite Party. However, in *May* 1724, he was recommended to the *Marquis de Pozo Bueno*, then Envoy from the Court of *Spain* to his *Britannick* Majesty. This Recommendation coming from Persons of eminent Rank, Quality and Credit in all the Courts of *Europe*, had the desired Effect upon his Excellency. Neither could the *Head* of the *Mission* disapprove thereof, and who, in his own natural

Dis-



Disposition, is a Gentleman of great Piety and distinguish'd Virtue, though very unhappy in his Choice of Counsellors, who have often involved him in civil Broils and Disputes.

IN the following Month of *September*, for Reasons as yet never known, unless that of Mr. *Dowdall's* being too observant of Mr. *Hansby's* Instructions to him, relating to his disputed Privileges, his Faculties were withdrawn, though not before the *Head* of the *Mission*, by Way of Equivalent, offer'd to settle him in any *other* Place, if he would quit the Envoy's Chapple. But this Offer, being look'd upon as a *Finesse*, was rejected.

POWERFUL Interest was made to prevail on the *Head* of the *Mission*, to shew Cause for this Procedure, who, on his Part, would give none for a great while. However, at last he *honestly* declared, " That  
 " the Matter was too far gone, and should  
 " he establish the Appellant without any  
 " Shew of Victory on his Side in this Religious Battle, his own Reputation must  
 " suffer by it : " (For a Foil from an Inferior, reflects no Lustre on the *Head* of a *Mission*, no more than it does in other eminent Stations

Stations of Life) “ but that if the Person  
“ in question, would retire for three  
“ Months into *France*, or elsewhere, he  
“ should, at the Expiration of that Term,  
“ be establish’d with the *Marquis* again.”

THE *Appellant's* Ambition all this while was to be advanced in the Schools, and not in the Mission, of which he had a Surfeit; therefore yielded to the Instances made to him by his Friends, and in July 1725, set out for *France*, after a seeming Reconciliation on the Terms above-mention’d, with the *Head* of the *Mission*; but without giving up any of the Points supported by Mr. *Hansby*, or a Thought of ever more returning into such Confusion.

IN *October* following he was pitch’d upon to teach a Course of Philosophy in a College in *Provence*, of which, as soon as he had acquitted himself, he travell’d to *Rome*, but was not above Two Days in that Capitol, when an Order was notified to him, obtain’d by the *Propaganda*, commanding him to quit *Rome* in twenty-four Hour’s Time, on Pain of Imprisonment. It was not very safe, especially for a Stranger, to insist on knowing the Reasons why  
such

such an Order had been made against him; and though some leading Men in the *Minerva*, had used their best Endeavours in that short Space of Time, to discover the Motives of such a Conduct, yet all proved in vain.

THIS shocking Treatment made our *Appellant* very uneasy for a while, but recollecting that such Usage was customary in arbitrary Countries, this Reflection buoy'd up his sinking Hopes; and to make him some Amends, his *two Friends* who had already interested themselves in his Pretensions, assured him of a *Professorship* of *Divinity*, which was then vacant in a College at *Lisbon* in *Portugal*. As this Proposal was not disagreeable, it was readily accepted of, and at the Expiration of the twenty-four Hours prescribed, our *Appellant* set out on a fatiguing Journey; and as soon as he arrived at *Lisbon*, was put into Possession of the vacant Post, according to the Assurances given him at *Rome*; however, did not enjoy the same long, for some Months afterwards, an Order was received by the *Superior* of the *College* from that *Capitol*, to dispossess him and send him directly to the *Mission*. In a Letter  
sent



sent along with this *Order*, it was signified, that it was at the earnest Request of some in the *Mission of England*, that our *Appellant* was thus hunted both at *Rome* and *Lisbon*.

THE *Superior* of the *College*, who declared in his Sentiments that this Proceeding was too harsh, would not notify it, but advised our *Appellant* to write a complaisant Letter to those whom he look'd upon to bear him any ill Will in the *Mission*, in order to soften them, so far as to be restored to his *Post* again, and in the mean Time to retire into the Country. All which was executed, and having in vain waited a considerable Time for an *Answer*, was at last obliged, with proper Credentials, however, to return to the *Mission*, not with any Design to stay, but to endeavour by his Presence to prevail, where his Letter had fail'd.

UPON his Arrival he waited on the *Head* of the *Mission*, and Mr. *Hansby*, who acted then as *Superior*, though his Time had been expired; and having informed them of the *Motives* of his *Journey*, to which they could be no Strangers, "en-  
b " treated

“ treated them to employ their good Offi-  
 “ ces at the Court of *Rome*, to have him  
 “ settle once more in *Lisbon*; since by the  
 “ ill Offices they had done him at that  
 “ Court, whereby he had lost his Post,  
 “ of which they were very conscious, to  
 “ say no more, he thought they could  
 “ do no less in Conscience.”

Mr. *Hansby* on this Occasion pleaded Ig-  
 norance, but the *Head* of the *Mission* re-  
 quired, “ That our *Appellant* should in  
 “ Three Days withdraw out of the King-  
 “ dom; adding, that then perhaps he  
 “ would do *something* for him.”

THIS Language, which suits a foreign  
 Climate better than *England*, together  
 with the unparallel'd Usage already re-  
 ceived, made our *Appellant* think seriously  
 of endeavouring to employ himself in such  
 Branches of Literature, as he was most  
 capable of, in order to procure himself  
 comfortable Support by his Industry, and  
 to be no longer made a Tool of in a *Wild*  
*Goose Chase*; being convinced, that if he  
 should listen to the *Head* of the *Mission's*  
 Orders, or Mr. *Hansby's* Advice, who was  
 also for his returning Abroad, this *Some-*  
*thing*

thing promised him, would prove more bitter than what he had already tasted; especially when he had been inform'd by some of the *Missionaries*, that in his Absence the *Head* of the *Mission*, and Mr. *Hansby*, had enter'd into a Negotiation for settling their own Disputes, the Result whereof, was a Treaty concluded between the contending Parties, wherein it was stipulated, not only to exclude our *Appellant* from the Benefit thereof, but to render the same firm, lasting and sincere, to make a Victim of the only Man who appear'd zealous in *Hansby's* Cause.

OUR *Appellant* having pursued this Resolution, he employ'd himself by teaching in Schools for a considerable Time, in which Station, when in a Protestant School, he was represented to those chiefly concern'd therein as a *Papist*, but if in a Roman Catholick School, then he was painted in the Colours of a Protestant; and with this Language his Enemies engaged the united Forces of their Adherents to declaim against him, whereby they render'd his Endeavours fruitless and uneasy. However, having got acquainted with some Gentlemen in the Printing and Bookselling

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Way,



Way, they gave him some Translations to be made out of the *French*, in which he had tolerable Success until *February* 1733, the *Count* of *Montijo*, late Ambassador from his *Catholick Majesty* to his *Britannick Majesty*, had some Pieces, to be translated for him out of the *Spanish*, and wanted a Hand qualified for that Purpose. His Excellency having signified the same to a *French* Gentleman of his Acquaintance, who had some Knowledge of the *Appellant*, and having met at a *certain Coffee-House*, importuned him to oblige the Ambassador in that Affair, and that it would be very advantageous to do him any Service of that Kind; but as the *Appellant* was then otherwise engaged, he consented to divide his Time in serving both Calls, and being thereupon introduced to the *Count*, he was immediately set to work with his *Secretary*.

IN a few Days after the Ambassador publicly express'd his Satisfaction of the *Appellant's* Performance, and that in the hearing of some of his *Chaplains*, but as his Excellency kept them at a proper Distance, they could not safely attempt to supplant a Person, whom he found so necessary in his Embassy.

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THE Air of *England* not agreeing with *Don Ferdinando*, Confessor to his Excellency, he return'd to *Spain* in the Year 1734; whereupon the Count, to shew his Regard for his *Translator*, named him to succeed in the Vacancy occasion'd by the former's Departure; but Mr. *Hansby*, and his Brethren, strenuously opposed this Promotion, alledging that the *Appellant* was not *Rectus in Curia*, but never would declare the Reasons why.

AS our *Appellant* was not over anxious about enjoying a Post which he had not solicited, and at the same Time knew that he could have no Competitors amongst his Enemies for the Station he was in, he made himself easy on this Occasion; but as this Opposition made some Noise, and reach'd the Ears of the Superior in *Ireland*, he, in *June* 1735, sent over a Commissary with full Power to examine the whole Affair, *ab Origine*, and make his Report thereon.

THIS Gentleman, on his Arrival in *London*, held several Conferences with *Hansby*, and his Party, at a certain House not far from *Drury-Lane*; in which it was resolved

resolved upon the Whole, to *Lump* Matters with the *Appellant*, who, as soon as this Resolution was communicated to him, declared that he insisted upon a clear and nice Discussion, and rejected the *Lumping* Proposal. And having required that the *Commissary* should give him his Sentiments in Writing, he drew up the following Report, address'd to the Ambassador.

*A son Excellence Monseigneur le Comte de Montijo, Ambassadeur Extraordinaire, de S. M. C. &c. &c. &c.*

*Monseigneur,*

*Etans Envoyé, par le R. P. Provincial d'Irland à cette Ville pour Examiner l'Affair, de Mons. Dowdall, & sçavoir les Raisons allegues contre lui par le Clergé de Londres ; je crois Monseigneur, etre mon Devoir d'Annoncer à V. Excellence, que je n'y ai rien trouvé, contre ce Mons. qui puisse l'empêcher, de faire & exercer ses Fonctions d'Eglise si bien que tout autre pourvu qu'il ne soit plus persecuté par le Clergé.*

*J'ai l'Honneur d'Etre, Monseigneur, avec le plus profond Respect.*

*Votre tres humble and tres obeissant Serviteur*

*L. P. Richardson, Docteur en Theologie.  
Londres 15. Jun. 1735.*



*To his Excellency the Count of Montijo,  
Ambassador Extraordinary from his  
Catholick Majesty, &c. &c. &c.*

*My LORD,*

HAVING been sent by the Reverend Father Provincial of *Ireland* to this City, in order to examine how Mr. *Dowdall's* Affairs stand, and know the Reasons alledged by the Clergy of *London* against him; I believe it to be my Duty, my Lord, to declare to your Excellency, that I have not found any Thing against that Gentleman, that can hinder him from performing his Church Functions as well as any other, provided he be no longer persecuted by the Clergy.

*I have the Honour to be, &c.*

*London June 15,*

L. P. Richardson,

1735.

Doctor in Theology.

THE Count being at this Time preparing to follow his Majesty to *Hanover*, had not Time to bring *Hansby* and his Party, to an Account for their Conduct, the doing of which he referr'd to his Return

turn to *England*; and having set out on his Journey the 24th of the same Month, carried the *Appellant* with him to *Calais*, where he gave fresh Assurances of his Friendship, with Respect to every Particular that seem'd to chagrine him; the Chief whereof was, that his Demands on his Excellency had not been satisfied. The *Appellant* quitted the Ambassador at *Calais* to return for *London*, where being come, and making a Virtue of Necessity, he join'd the Family according to his Orders. Some Time after which, being press'd for Money by some of his Creditors, who were sent to teize him by several of his Enemies, who took the Opportunity of the *Count's* Absence, to give him fresh Causes of Inquietude. He then apply'd himself to the *Countess*, who was left sole *Governante* of the *Finances*, for Payment. Her Answer was, "That he had done Business for her Husband, and not for her, therefore, would pay him none." This Laconick Answer, for her Excellency affected to speak in that Stile, was study'd by one of her conscientious Casuists, who prompted the *Countess* to deliver it on that Occasion. It was in vain, as was found by Experience, to represent that not pay-  
ing

ing Labourers, was a Sin crying to Heaven for Vengeance; for though her Excellency was very pious in her own natural Temper, and frequented the Communion at least once a Week, yet when her spiritual Directors had got the Ascendant over her, she adhered so strongly to their Sentiments, whether Right or Wrong, that she became inflexible; a Thing not expected by our *Appellant*, since the *Countess* received all the Ambassador's Appointments from the *South-Sea Company*, and consequently all the Disbursements, whether incurr'd before or after her Husband's Departure, were paid out of his Allowances.

FURTHER Remonstrances on this Subject, seeing those already made proved unsuccessful, would have been deem'd an Insult, and perhaps contrary to the Law of Nations, though the Lady bore no publick Character as her Husband did; for the Countess had fix'd on a Resolution agreeable to the Notions instill'd into her by Mr. *Hansby's* Creatures, from which she would not recede, and none but those who were in the Secret, could tell what this Resolution imported. In this Situation



our *Appellant*, with his Creditors at the Back-Door, for Debts contracted in his Excellency's Service, and his All in hazard of being lost, found himself under a Necessity of exerting his Patience more than ever, and of laying himself out in the best Manner he could to get Employment, in order to discharge his Debts. As he was taking Measures for this Purpose, Mr. *James Moran*, one of Mr. *Hansby's* Brethren and Chaplain to her Excellency, came to him with a Message that the Countess wanted to see him, adding, that every Thing would be made easy. This Piece of News, than which nothing was less expected, being accompanied with a Piece of Money as an Earnest of the Lady's Sincerity, surprized our *Appellant*, whom, considering the Person that brought it, &c. and all other Circumstances, could not help saying to himself,

*Timeo Danaos & Dona ferentes.*

And concluded that some hard Conditions would be laid upon him, before he could get his own. However, he waited on the Countess the next Day, who promised him great Matters, provided he would go to Spain. This Proposal did not startle our *Appellant*,

*Appellant*, who expected something of that Kind, and answer'd, "That as he had  
" contracted Debts while employ'd by the  
" *Count* her *Husband*; which for want of  
" Payment, he was not able to satisfy,  
" therefore could not determine on going  
" any where before his Creditors were  
" made easy." To this her *Excellency* reply'd, "That all his Debts should be paid," and ordered him at the same Time to give *Don Antonio Compuzano*, her Intendendant, a List of them, which being accordingly done, every Thing seem'd to go on so far with a good Face. But alas! Mr. *Hansby* must be consulted, therefore was sent for, who, in two Conferences held with the *Countess*, wherein *Moran* and others assisted, but the *Appellant* was not suffer'd to appear, cancel'd the Lady's Promise of paying the Debts; alledging, that the best and most effectual Way to have our *Appellant* out of the Nation, was to set his Creditors to worry him, and that the Apprehensions of a Prison would make him withdraw himself out of *England*; to allow him something for travelling Charges, and nothing else.

THIS Scheme being approved, was religiously observed, and Hansby to make it the more plausible, drew up the following Credentials for our *Appellant* to travel with.

*IN Dei Filio sibi dilecto R. P. Professore Fr. Jacobo Dowdall, S. O. P. Fr. Josephus Hansbie, Provinciae Angliæ ejusdem Ordinis S. T. Magister, Prior Provincialis salutem & Iter prosperum.*

*Cum nobis desiderium tuum ad Patres Gallicanas, hinc discendendi significaris votis tuis libenter annuentes Præsentium tenore tibi præfato R. P. Professori, &c. ex hoc Portu Londinensi in Galliam solvendi Licentiam concedimus, te alicui dignissimo ejusdem Regni Magistro Priori Provinciali, plurimum in Domino commendamus ut charitative te recipere dignetur. Insuper tanquam verum obedientiæ filium humiliter commendamus. Datum Londini, & sigillo Miniori nostri Officii Munitum, hac 15 Octobris, 1736.*

*Fr. Josephus Hansbie,  
qui supra R. L. I. P. 114.*

*Fr. Jacobus Moran, Profocius.*

ALL



ALL this while *Hansby* took no further Notice of our *Appellant's* not being *Rectus in Curia*, though he had charged him with it upon another Occasion ; neither did this latter give himself any further Trouble about the Matter, having resolved never more to put his Liberty in the Power of that *Curia* or *Hansby*. Notwithstanding, several other Artifices were set on Foot to engage him to go to *France*, since he had absolutely refused to go to *Spain* : One was, which was thought an infallible Temptation, that a Pension of Half a Crown a Day would be settled upon him for Life by the Court of *Spain* ; of which the Countess, as the opposite Party reported, had given repeated Assurances, and would join in her own Letters of Recommendation, &c.

THIS Lady, who but just before had made nothing of breaking a Promise, given with all the apparent Sincerity imaginable ; thinks now to gain a Point for *Hansby* and his Adherents, by making another in the Name of the *Spanish* Court, of much greater Consequence than the First was, and without any Authority for what she had proposed.

ALL

ALL the Impressions were made by these Importunities on our *Appellant* was no other than, in order to put an End to their Teizings, feign'd to close with the Countess's last Proposal, and on the 17th of *November* 1736, received her Letters commendatory, which though seal'd up, were to intitle him, if he could believe it, to the *Pension*, and six Guineas to carry him to *Paris*. The Money he took on Account, as he reckon'd, of what was due to him, with which he satisfied some of his Creditors, and as he was obliged to begin the World a-new did not question, but with a little Success, to be able to make every Body that had any Demands on him easy.

IN *May* following, our *Appellant* having opposed Mr. *Hansby* and his whole Corps in their illegal Pursuit, with Success, as may be seen in the following Letters and Papers, to which we refer our Readers; to be revenged on him for the Foil he gave them on that Occasion, and to stifle the Publication of these Transactions, on which our *Appellant* was bent, when, some time after they found him involved, though but a trifling Affair in the Beginning, yet by their malignant Influence

fluence brought it to a Labyrinth, from whence, according as it was contrived, they thought there could be no Release. To this they added, as they have given out, their Excommunications; so that we see the same Party fly, when cited to *Doctor's Commons*, and erect themselves into a Tribunal, to pronounce Church-Censures, against the very Person who detected them in *Forgery, Perjury and Subornation of Perjury*, for no other Motive, but for having thwarted their Villany.

BUT supposing, for Argument's sake, a real Cause, exclusive of all Pique and Prejudice, had been given to the Missionaries to proceed with such Severity against our *Appellant*, which of them is it that possesses the Power of passing that Sentence, as they report to have done? None; for as they have no ordinary Jurisdiction, in any Shape whatsoever, though, if they could, they would make their delegated Power pass for Ordinary; therefore, they cannot pretend to act in any other Character, than that of delegated. If the Case had been otherwise, and that they enjoy'd full and ordinary Powers, it is presumed they would not pronounce Sentence against  
any



any Man without a Citation, desiring or commanding his Appearance, in order to answer for himself, and make his Defence; on Failure whereof the whole Proceedings could be justly deem'd Irregular, and consequently of no Force or Effect. Which Plea, on this last Supposition, would effectually take Place, no Notice for Defence having been served on the Party. But Men to whose *Conscience*, the Facts recited in the following Detail could be no cheque, will hesitate at nothing, if we can judge by their past Conduct, to keep up their *Credit* amongst the Ignorant; who but too often copy their Actions, as the right Way to Heaven, for which they have their *Example* for a Sanction.

OUR Readers will excuse us from making any further Reflections on this Occasion, the more, as every one who shall peruse the Account we have here given, is entreated to supply what Deficiencies we may have been guilty of, in such Manner as shall be most suitable to his own unprejudiced Genius.



IN

August 27, 1742.

My LORD,

**I**T would appear very impertinent in me, should I pretend to inform a Personage of your Lordship's profound Erudition and universal Knowledge in all the Branches of Literature, that the Custom of writing missionary Letters has been left us by the Apostles, whose holy Example in that Respect has, for its Usefulness, been copied at all Times by those who have been sent to preach the Gospel and the Doctrine of *Christ* in the remotest Parts of the known World, down to these our Days.

SINCE the Discovery of *America*, and the Introduction of the Catholic Faith into those distant Regions, frequent Accounts have been transmitted to *Europe*, particularly to the holy See of *Rome*, of the Wonders wrought by the Evangelick Orders sent thither for the Propagation of Christianity,

anity, and the Extension of our holy Mother Church, which they effected with incredible Success, at the Expence, however, of many Lives; having undergone various and cruel Tortures for the Sake of the true Religion, whereby they crowned their Labour with eternal Glory.

EXAMPLE is very catching, my Lord, especially when influenced by the Spirit conveyed to us by these Words, which are our Credentials and constant Instructions from above, *Predicate Evangelium omni Creaturae, &c.* And that of those pious Missionaries of *America*, if primitive Zeal be extinct, should be a Pattern for all such as are employed in the Vineyard of the Lord, whether in *Europe* or elsewhere, to enlarge the Pale of the Church. In the Lives of these modern Christian Heroes, they will find fresh Incentives to excite their Duty; and I wish, my Lord, that, instead of the following Account, which I find myself obliged to send to your Lordship, of what has lately been transacted by some of the Missionaries at *London*, who seem to trample on the Gospel as obsolete and unfashionable, I could be able to give your Lordship some convincing Testimonies of



of their Vocation and Mission, as well as of Prodigies wrought by them to confirm their Followers in the Lord.

THE Custom of remonstrating against corrupt Doctrine, or any other Abuse that has been broach'd amongst Christians by their Brethren of the Gospel, bears the same Date, and, as often as Room has been given for Complaints of this Kind, Representations have been made thereon to the next in Power, which I hope will plead for the Liberty I here take ; but if any such Remonstrance proved unsuccessful on such Application, particularly in latter Times, then the Complaint was carried to the supreme Court, there to have a final Determination. It was thus managed lately in *China*, my Lord, when certain Missionaries, to please the *Chinese*, preached a new Doctrine, viz. *Cælum non Christum Colito* ; Worship the Heavens, not *Christ* : And notwithstanding no less a Person than Cardinal *Tournon* was sent by the Court of *Rome* to *China*, with full Powers to put a Stop to and cheque the Abuses complained of on that Occasion, yet the opposite Party had such Interest at that Imperial Court, as to have the unfortunate

*Tournon* arrested and clapp'd into Prison, on his Arrival in the *Chinese* Territories, lest they should be called to an Account, where he languished unheard till he died. This, my Lord, put an End to the Cardinal and his Commission, to the great Joy of his Adversaries.

WHAT induces me further to trespass thus on your Lordship's Time and Patience, before I apply to the supreme Court, besides the Compliment due to the high Post your Lordship so deservedly possesses, is the tender Regard which I always profess'd for your Lordship's spiritual Welfare. As Head of the Mission, it is to be expected, that your Lordship will not prove an unprofitable Steward, but give a faithful Account, when called upon, of the Lives and Actions of those you employ under you in so important an Undertaking; which we are commanded to do in the Gospel, *Redde Rationem Villicationis tuæ*: For which Task give me leave, my Lord, to contribute what I think myself oblig'd at least in Charity to do. Several Things may and have pass'd in your Lordship's District of *London*, and Dependances thereof, which are very extensive, without your Lordship's

ship's Knowledge; and yet your Lordship must, one Day or other, answer for these very Matters; therefore, lest *Ignorantia Crassa* should be alledged before a supreme Judge, than whom none can be more supreme, which never merits any Excuse or Pardon, I think it my Duty, before it be too late, my Lord, to acquit myself of this Devoir, which otherwise would be a Burthen to my Conscience; neither can I conceive that your Lordship has any Room to apprehend the Cardinal's Fate whilst in *England*, and doing Justice to the Laws of the Land, as well as to those of your own Church, without interfering with Court or Country Altercations; and what is punished with so much Justice by the established Law here, and is punishable with great Severity in all other civilized Nations, ought not to be overlooked by your Lordship; nor can it avail to alledge, that your Lordship has not free Liberty to exercise your Authority, since it is evident, that, on trivial Occasions, your Lordship has already exerted the same unmolested: And if I am obliged to draw this Narrative to an unpleasing Length, it is because the Behaviour of the Persons therein concerned is so extraordinary, that I fear  
it



it would hardly obtain Credit, should I not descend with proper Authority into the most minute Particulars thereof: And, to begin,

IT is a constant Law, my Lord, among the Religious in Roman Catholick Countries, that their Estates and Effects shall go, at their Death, to those Houses, and no other, whether College, Convent, or Monastery, to which they properly belonged, tho' not so practised by the secular Clergy, who are upon a different Establishment. How binding this Law is in missionary Countries, among those Orders as make no Provision for their Members, I humbly submit to your Lordship and their own Superiors to determine; but what Title the Provincial of a missionary Province can have to the Effects of a deceased Brother, who never had been under his Jurisdiction, and always belonged to a particular House in another Province, or Kingdom, I never could learn; and I am sure, my Lord, it would puzzle his Holiness to resolve; neither should I have given your Lordship or myself any Trouble about the Matter, if the Affair in question

tion had been carried on in a conscientious and legal Manner. The Case was thus ;

IN the Year 1732, or 1733, Mr. Dominick *Fiaghny*, of a certain religious Order of the House of *Sligoe* in *Ireland*, went from that Country into *America* ; where, after having visited some of the Islands, he went to *Monferrat*, settled there, and took upon him the Name of *Edward Villiers*, and there died intestate in the Month of *September* 1736, having left some Effects in the Hands of a Merchant on that Island ; but the most considerable Part of his Estate was in the Care of another Merchant in *London*.

Mr. *Joseph Hansby* was, at this Time, Provincial of the said certain Order in *England*, and soon had News of *Villiers's* Death (for so I must call him now, my Lord) whereupon *Hansby*, as Provincial, called a Council of such of the Brethren as he could speedily assemble together ; wherein assisted the Reverend Messieurs *Austin Vaughan*, *Daniel Delany*, *James Moran* and *Francis Mulloy* ; and *Hansby*, in a short Speech, my Lord, acquainted them with the Death of *Villiers*, and of the Effects he had left, tho'

I never could hear that he enjoyed any of them to remember the Soul of the Departed in their Prayers. But this was not the Cause of his assembling them, but to find out Ways and Means for securing what he had left in his Correspondent's Hands in *London*, as well as with his Friend in *Monferrat*, before the Brethren of *Sligoe* could have Time to lay their Claim to their intestate Brother's Succession, or have an Opportunity of making Friends here, to secure the same to them. For this Purpose, my Lord, they agree to consult one *John Fitz-Patrick*, an Adept in the Law ; who being sent for, and apprised of all the Circumstances relating to their present Business, he advised them to have a Letter of Attorney drawn in the Name of an imaginary Brother to the deceased *Villiers*, empowering one from amongst themselves to recover the Defunct's Estate in any Court of Judicature in *England*, or elsewhere ; which Advice was approved of, and executed accordingly : When the Provincial and the Brethren then present, in their own Names, and in the Names of those who were not at that Meeting, appointed *Francis Mulloy* to be named Attorney for the imaginary Brother. The Powers were readily drawn by *Fitz-Patrick*,



*Patrick*, a Copy whereof, for your Lordship's greater Satisfaction, I here send your Lordship.

WHEREAS the Reverend Mr. *Edward Villiers* died in *America* possessed of considerable Effects, that are still in the Hands of Strangers, without giving any Account thereof unto the said *Edward Villiers's* Friends. Now, know all Men by these Presents, That I *Timothy Villiers* of *Anagh* in the County of *Roscommon* and Kingdom of *Ireland*, Gentleman, only Brother and Heir at Law to the said *Edward Villiers*, have made, ordained, constituted and appointed, and by these Presents do make, ordain, constitute and appoint *Lawrence Mulloy* of *Great St. Ann's Lane, Westminster*, and Suburbs of the City of *London* in the Kingdom of *Great Britain*, Gentleman, my true and lawful Attorney for me, and in my Name to take out Letters testamentary in the Prerogative Office at *Doctor's Commons London*, unto the said *Edward Villiers*; and thereupon the said *Lawrence Mulloy* to ask, demand, recover and receive any Part or Parcel, or the Whole of my said Brother *Edward Villiers's* Effects, whether real or

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personal,

personal, from any Person or Persons whatsoever that is or are in Possession thereof, either in the said Kingdom of *Great Britain, America*, or elsewhere ; and, upon Non-Payment thereof, the said *Lawrence Mulloy* is to sue, arrest, imprison, implead and prosecute for the same ; and upon such Suit to proceed to Judgment and Execution, and in Prison to hold and keep such Person or Persons until Payment be made of all Costs and Damages sustained, with the Principal and Interest ; and upon Payment thereof, the said *Lawrence Mulloy* is to pass a Discharge or Discharges for the same for me and in my Name ; and also to do, perform and execute all and every other lawful and reasonable Act and Acts, Thing and Things whatsoever, both for obtaining and discharging the same, as shall be needful to be done, giving, and by these Presents granting unto my said Attorney my full and absolute Power in the Premises ratifying and holding firm all, and whatsoever my said Attorney shall lawfully do, or cause to be done, in or about the Premises, by Virtue of these Presents. In Witness whereof I have hereunto set my Hand and Seal this 15th Day of *February*, in the 10th Year of the  
 Reign

Reign of our Sovereign Lord Gorge the  
Second by the Grace of God of *Great Bri-  
tain, France and Ireland*, King Defender of  
the Faith, &c. *Annoq; Domini* 1736.

*Timothy Villiers, L. + S.*

*Sealed and delivered in  
the Presense of us*

Nicholas Burke,  
John King.

THIS Letter of Attorney, thus artfully  
drawn up and executed by the imaginary  
*Villiers* in *Ireland*, tho' forged in a religi-  
ous Mint in *London*, my Lord, could be of  
no Service to Mr. *Hansby* and his Socie-  
ty in their Pursuit, unless an Affidavit were  
made before a Master in *Chancery*, setting  
forth, that all the Clauses in this famous  
Power of Attorney were according to the  
expres Will and Desire of the supposed  
*Timothy Villiers*, the only surviving Brother  
of *Edward Villiers*, deceased; and that eve-  
ry Circumstance thereof, Signatures and  
all, were genuine.



FOR this Purpose, my Lord, and to prevent Disappointment in an Affair of so much Importance, and which these Reverend Gentlemen had very much at Heart, one *Robert Lyons*, otherwise——, a Solicitor, is employed to do this conclusive and perfecting Jobb at the special Desire of *Hansby*, with the Consent of the above-mentioned Brethren, and the additional Concurrence and Approbation of the Reverend Messieurs *Burgefs*, *Butler*, *Brown*, otherwise *Brenan* and *Bruce*, who were absent at the first Meeting. And, lest the Account I have undertaken to give your Lordship of this Transaction should prove imperfect, I here insert a genuine Copy thereof.

*Com. Middlesex.*

*Robert Lyons*, of *Backlane*, in the City of *Dublin* and Kingdom of *Ireland*, Gentleman, came before me and made Oath, That he was well acquainted with the Reverend *Edward Villiers*, Clerk, who lately died intestate in *Monferrat*, in *America*, as this Deponent is credibly inform'd, and verily believes; and this Deponent never knew or heard, neither doth he believe that the said *Edward Villiers* was married, or had  
any

any Issue ; but saith, That the said *Edward Villiers* hath one Brother living at *Anagh*, in the County of *Roscommon*, called *Timothy Villiers*, and two Sisters in the County of *Sligoe*, all in the said Kingdom of *Ireland*. This Deponent further deposeth, That the said *Edward Villiers's* Father and Mother are both dead ; and that the said *Edward Villiers's* said Brother and Sisters are the next of Kin to him now living, and, as such, as this Deponent verily believes, are justly intitled to all the Goods and Chattles, Debts and Credits the said *Edward Villiers* died possessed of or intitled to. This Deponent further deposeth, That he hath viewed a Letter of Attorney sent by the said *Timothy Villiers* unto *Lawrence Mulloy*, of *Great St. Ann's Lane Westminster, London*, hereunto annexed, empowering the said *Lawrence Mulloy* to take out Letters of Administration to the said *Edward Villiers* ; which Letter of Attorney this Deponent believes to be true and genuine ; for that this Deponent is well acquainted with the said *Timothy Villiers's* Hand Writing, and believes the Name *Timothy Villiers*, signed as a perfecting Party to the said Letter of Attorney, to be the proper Hand Writing and Signature of the said *Timothy Villiers* :

And

And saith, That this Deponent is likewise well acquainted with the Hand Writing of *Nicholas Burke*, one of the Witnesses to the said Letter of Attorney, and verily believes the Name *Nicholas Burke*, subscribed as a Witness thereto, to be the proper Hand Writing of the said *Nicholas Burke*.

Sworn at the publick Office, the 26th of March, 1737, before

J. Bennet.

Robert Lyons.

BY means of this Affidavit, my Lord, and the foregoing Power of Attorney, Letters of Administration were obtained in the Prerogative Court of *Canterbury* in *Dockers Commons*, for *Lawrence Mulloy*, but not before his Brother and the above-mentioned *Daniel Delany* had entered into Bonds of 300*l.* each, as is customary on such-like Occasions, for the due and punctual Execution of the said Letters of Administration, as appears by the Registers of *Dockers Commons*.

HAVING thus surmounted, as they thought, all the Difficulties they could apprehend ;



prehend; for they kept the Affair so secret, that now they apprehended none; and, flush'd with Hopes of getting *Villiers's* Money, which exceeded 200*l.* out of the *London* Merchant's Hands, without any Delay, they repaired to this Gentleman's House: I don't say all of them, my Lord, but *Mulloy*, who had the Power of Attorney and Letters of Administration made to him; *Delany* as Bondsman, and *Fitz-Patrick* and *Lyons* as Lawyer and Affidavit Man, and who were to be well paid for the Part they bore therein. These were the renowned Persons deputed by *Hansby* and the rest of the Body, to act publickly in this Affair. The Merchant, who was thoroughly acquainted with all the Circumstances relating to the Deceased, upon reading the testamentary Letters presented him by *Mulloy*, discovered a Flaw therein, which enabled him to demur on their Demands, and refuse paying them any Money until they should have cleared up that Point, for his own Satisfaction as well as Safety. This unexpected Baulk obliged the Deputation to have Recourse once more to the *Commons* for fresh Letters of Administration; which they obtained with some Alterations and Amendments; and  
 having

having applied therewith to the Merchant, he paid them the following Sum only, for which he took a Receipt, a Copy whereof I take the Liberty, my Lord, here to add.

March 29, 1737.

Received then of Mr. *Samuel Travers* Fifteen Pounds and One Penny, on account of the Estate of the within named *Edward Villiers*, deceased, as I am Administrator of his Estate, by Virtue of the within Letter of Attorney. I say received by me,

*Lawrence Mulloy.*

Witness,

*John Fitz-Patrick,*  
*Robert Lyons,*  
*William Travers.*

SMALL as this Sum was, my Lord, it served notwithstanding to breed a Civil War between the Missionaries and their Agent *Fitz-Patrick*, who, by all Reports, is very avaritious, and insisted to have the best Part of the Fifteen Pounds received paid to himself, for the Services he had done, while *Mulloy*, *Delany*, and the rest, who were in Possession of the Money, preached  
Patience

Patience and Forbearance to him, promising that he should be satisfied when the Remainder was recovered ; which Doctrine so incensed the Lawyer, and finding himself bilk'd in his Hopes, that he vow'd bitter Revenge on them ; and, in short, opened the whole iniquitous Scene to the Merchant, of whom they afterwards did not presume to demand any more of *Villiers's* Effects.

*VILLIERS*, my Lord, had all this while an own Brother in *England*, who lived with a Riding Officer in the *Isle of Shippey*, whom (to make no Mention of my Claim to *Villiers's* Estate, as the only Member belonging to the House of *Sligoe* in this Nation) these upright Souls would have defrauded out of his Right of Succession to his Brother's Effects ; and it was some time in *May* following before I had heard any thing of their Proceedings, or so much as of *Villiers's* Death. But when the Affair was related to me, I must own it gave me no small Surprize to find that Men of sacred Characters could be guilty of such scandalous Practices, having never heard of any Instance of the like before : And to rescue what remained of *Villiers's*



Concerns, I sent for his Brother into the Country, and upon his Arrival in Town, I took out fresh Letters of Administration for him to succeed to his deceased Brother, to whose having assumed a different Name from his own, I was a Stranger, wherefore made use of his proper Name in the said Letters.

WE waited on the Merchant, my Lord, with the Power of Administration granted to young *Fiaghny*; whereupon that Gentleman shewed us the Letters testamentary obtained by *Mulloy*, which he took care to stop, expatiated upon the Trick put upon him, and ingenuously declared he would pay no more of the Deceased's Money to any body, before the Identity of *Dominick Fiaghny*, in whose Name our Letters run, and *Edward Villiers* was made evident to him.

THIS Resolution of the Merchant's, my Lord, considering what had passed, I thought very reasonable, therefore we undertook what he required, and succeeded therein without much Difficulty; the opposite Party, conscious of the unwarrantable Step they had taken, not caring or rather

ther fearing to give us any further Trouble, never once appeared, tho' publick Notice had been fixed near their respective dwelling Places, by Order of the Court at *Doctors Commons*, for that Purpose: And finding the Affair had taken such a Turn as laid them too open to a Prosecution, they recur to their last Resort in Politicks, by sending *Mulloy* out of the Nation, and along with him as much as they could, of that Load of Infamy which they had brought upon themselves. *Delany* also, apprehending a Visit from Justice, made a precipitate Retreat from his Lodgings, and absconded for some Time, till he got under the Protection of a certain foreign Minister, who knows nothing of these Proceedings. *Hansby* retired into *Flanders*, where he staid till he had Intelligence that no criminal Prosecution had been set on foot against those that remained behind, and these finding that Matters were not carried to an Extremity, and being for the most Part of them protected by foreign Ministers, they made themselves as easy, and appeared as unconcerned, as if they had nothing to apprehend on this Head from your Lordship or any other Tribunal.

NOTWITHSTANDING that we had made the Identity required of us appear to a Demonstration, yet the Merchant continued still scrupulous, and insisted upon Attestations from certain Gentlemen in the County of *Sligoe*, being the Place of young *Fiaghny's* Nativity, setting forth what we had already proved in *Doctor's Commons*, viz. That this *Fiaghny* was the only surviving Brother of the late *Edward Villiers alias Dominick Fiaghny*, whom, to oblige the Merchant, undertook that Journey, and on his Return brought ample Testimonials to the full Satisfaction of the Merchant, who thereupon paid the Remainder of the Deceased's Money. But those of the House of *Sligoe*, my Lord, knew nothing it seems of what was transacted here relating to this Affair, before young *Fiaghny* appeared in that Town on the Errand now mentioned, as appears by the following Letter sent on that Occasion to a Merchant in *London*, which is as follows, and to which I beg leave to refer your Lordship.

*Sligoe,*



Sligoe, 26 August, 1737.

S I R,

THE Death of Father *Dominick Fiaghny*, who died some time ago in *Monferrat*, obliges me to give you this Trouble, which I do at the Request of Father *Dominick Mulrunifin*, for which we both ask your Pardon, and beg that you speak to *S. Travers*, Esq; at *London*, about 200*l.* which the said *Travers* has in his Hand of Father *Dominick Fiaghny's* Money; which Money, by the Law of the Order, no body has a Right to but those of the Abby of which Mr. *Fiaghny* was a Brother; and as one *Cunaghan* of *Monferrat* advises Mr. *Travers* not to pay the Money to any but such as I would recommend to him, it is our earnest Request that you take the proper Care in procuring the Money. Any Trouble or Cost you may be at, shall with Thanks be refunded you.

THERE came to this Town two Days ago a pretended Brother of this *Fiaghny* that died, and got, by the Interest of Mr. *John Harloe*, a Letter from Mr. *Knox*, certifying, that he was the lawful Heir to the said Money. Mr. *Cunaghan* advises of  
more

more Effects to be in the Hands of Father *Dominick Lynch* in *Monferrat*, to whom Mr. *Mulrunifin* writes by this Post to, remit the same to you. As this is an Act of Charity, I don't doubt but you will be active in it. I believe you may have a Letter from your Brother *Edward Corkran* to the same Purpose, &c. I am

*Your affectionate Brother-in-Law*

*And very humble Servant,*

Bryan Hart.

*To Mr. Lewis Corkran, Merchant,*

*in London.*

THIS Letter plainly confirms what has been advanced in the Beginning of this Narrative with regard to the House of *Sligoe*, which could alledge no other Title to this much contested Inheritance, but that founded on the Laws of the Order, which, weak as it is, is by far more preferable than that grounded on Forgery, Perjury, and Subornation of Perjury, which Crimes I believe your Lordship will allow that the Persons heretofore mentioned have been knowingly and wittingly guilty of in the

the Presence of God and Man. I shall not mention what Punishment the Laws of *England* inflict on such Criminals, yet I have the Pleasure to know that the Laws of the Church against such Delinquents, if duly executed, are severe enough, but not more so than they should be.

I don't know what Infatuation possessed these Men, my Lord, on this Occasion, or how they can approach the Altar as they daily do without any Remorse: Sure what the \* Poet said in Heathen Times, and of a Heathen Priest, is verify'd of those Priests both collectively and divisively.

*Impius ante Aras atque Auri Cæcus Amore.*

But they did not stop here, for some of them fell into more Disorders, or rather could not any longer conceal their dissolute Lives, whereof the following Case is a remarkable Instance, which I had the Honour to state to your Lordship, and lay in a judicial Manner before your Tribunal, as you must remember; and likewise, that when a Day had been fixed by your Lordship for hearing the same; to prevent my appearing

\* Virgil's *Æneid*, Lib. I.



appearing according to the Instructions I had received for that Purpose from your Lordship, I was arrested and flung into Prison; but of this Particular I shall take the Liberty of mentioning more before I conclude.

AS this Affair has lain dormant for a considerable Time without any definitive Sentence, notwithstanding all my Endeavours to bring it to an Issue, therefore I humbly beg leave, my Lord, now that I am in Possession of my Liberty, to renew this Charge by laying it before your Lordship in the same Manner, and without any Variation from the first, which was chiefly represented by Letters, whereof I have kept Copies of my own to your Lordship, as well as those I had the Honour to receive from your Lordship on this Subject.

To Mr. B. WHITE, &c. &c. &c.

*My LORD,*

IT is so seldom I trouble your Lordship with a Scrole, that I could wish for a more agreeable Subject than that of the following Lines to entertain your Lordship with; however, as your Lordship is Head of the  
Mission

Mission here, I think myself obliged to acquaint your Lordship of such Irregularities committed therein, as have reached my Knowledge, and tend to the Ruin thereof.

ON *Friday* the 20th Instant, between the Hours of Eleven and Twelve at Night, Mr. *Austin Vaughan*, and a young Woman along with him, came to a certain Inn in the *Strand*, and there passing for Husband and Wife, lay together all Night. I was in the fore Room of the said Inn, when they both came in, but somewhat disguised in Apparel, so that I am apt to think Mr. *Vaughan* did not know me, or if he did, he dissembled the same: And though he and Madam were up by Five of the Clock the next Morning, yet I took Care (for I was very vigilant all that Night, my Lord) that Mr. *Vaughan* should not depart without knowing me, and wishing me a good Morrow too.

I leave your Lordship to judge of the Consequences of such *Religious* Practices, and am, and shall be ready to satisfy your Lordship, in any further Particulars which you may require, relating to this Affair.

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and

and am, with all the Deference imaginable,

My LORD,

*Your Lordship's most obedient,*

*July 25, and most humble Servant,*

1739.

J. Dowdall.

P. S. Since I wrote the above, my Lord, Mr. *Vaughan* has been at the Inn, where he met me in Company with a certain Gentleman, and though he made one with us, yet he took an Opportunity of speaking privately to the People of the House, to give them a Caution, as I suppose, against satisfying any Questions they should be ask'd relating to him.

( TO this Letter I had the Honour of the following Answer from your Lordship :

To Mr. *J. Dowdall.*

*July 27, 1739.*

S I R,

I am favoured with yours of *July 25*, and, in hopes of seeing you, staid at Home all the next Day. When it suits with your  
Con-



Convenience, I shall be glad to discourse with you on the Subject of your Letter, on any Morning after Ten of the Clock, or in the Evening about Seven. In doing me this Favour you will oblige,

S I R,

*Your sincere Friend and humble Servant,*

B. White.

THE Morning after the Receipt of this Letter, I waited on your Lordship, and repeated the Contents of my Letter to your Lordship, with further Particulars not therein mention'd, with which your Lordship seem'd highly pleased, told me you would summon *Vaughan* to appear, and your Lordship then very earnestly enjoin'd me not to be spirited away by any indirect Means, that should be proposed to me in order to stifle this Matter, which your Lordship seem'd to apprehend. Your Lordship can hardly forget what strong Assurances I then gave your Lordship, nor can I be charged with having acted any thing to the contrary, of what I had promised to your Lordship; but, on the con-

trary, waited with Impatience, to know when your Lordship would send for me for this Purpose. It is true, *Vaughan* made me some advantageous Offers, with which I have acquainted your Lordship, but I firmly rejected them, and all that he could propose; and finding that he could not gain on me, at last appear'd to your Lordship's Summons, but not before he had taken sufficient Time, in Concert with his Brethren, to prepare for his Defence, and form an Answer, as is set forth in the following Letter of your Lordship's.

To Mr. *J. Dowdall*, &c.

August 14, 1739.

S I R,

I saw Mr. *Austin Vaughan* last Night, who owns, that he lay on *Friday* the 20th of *July* last, at the ——— in the *Strand*, to be in Readiness to accompany Mr. *Burgess* the next Morning to *Richmond*. He likewise confesses, that he saw and spoke to you, but absolutely denies, that he either came into the Inn with any Woman, or lay there with any one, protesting that he was all that while alone. He endeavours to invalidate your Testimony, as I  
sup-

supposed he would. If you can bring any Circumstance to confirm it, I desire you will tell them before me, and Mr. *Challoner* in *D——Street*, on *Monday* next the 20th of *August*, about Twelve of the Clock. This is all at present from,

S I R,

*Your affectionate and humble Servant,*

B. White.

My Answer to the foregoing Letter.

To Mr. *B. White*, &c.

*My LORD,*

THIS Minute I have received the Honour of your Lordship's Commands, and shall not fail to be at the Place appointed, at the Time required, but wish your Lordship would let me know whereabouts in *D——Street* I may expect to see your Lordship and Mr. *Challoner*. I find by your Lordship's, that Mr. *Vaughan* endeavours to invalidate my Testimony; wherefore I make bold to send two Letters inclosed for your Lordship's Perusal, which,

I be-



I believe, will convince your Lordship that he has no Room for such a Plea.

YOUR Lordship desires me to bring further Circumstances, if I can, to confirm the Charge against *Vaughan*; and, my Lord, if all I have already said on this Head cannot obtain Belief, I must now add, my Lord, that I have living Witnesses to confirm the same, and perhaps a great deal more. I am, with profound Deference,

My LORD,

*Your Lordship's most obedient,*

*and most devoted humble Servant,*

August 14, 1739. J. Dowdall.

- SCARCELY two Hours had pass'd, after I had sent the above Answer to your Lordship, before I was arrested for a Sum not exceeding Twelve Guineas, though I was in daily Expectation of receiving Forty-Six Guineas and upwards, for the Payment of which, I had unexceptionable Security, which I offer'd by my Attorney, to assign over to this Creditor, but was refused, and

no-

nothing would satisfy the Party but to have me in Prison, whither I was constrain'd to go, and where I received the following Answer from your Lordship, who then had not been informed of my Catastrophe.

To Mr. J. Dowdall, &c.

S I R,

Mr. *Challoner* lodges at the House of Mrs. B. who is lately dead, but her House is very well known in *D——-Street*; it is almost over-against the *White House*, and the very next Door to Mr. *S——* a famous Surgeon, you will find me at his Lodgings on *Monday* next, from Twelve till One of the Clock. If we find it requisite that you confront Mr. *Austin Vaughan*, I desire you will keep Temper, abstain from Anger, and all Reproaches, whatever Provocations you may happen to receive from him. In so doing, you will not only shew yourself to be a good Christian, but much oblige,

Your affectionate,

August 18, and most humble Servant,

1739.

B. White.

P. S.

P. S. I will take Care to deliver safely to you the Letters you were pleased to inclose in your last.

ON the Receipt of this Letter, I sent your Lordship an Account of what had happen'd to me, and of my being confined in the *Marshalsea*; also, that as all the advantageous Offers I had made my Plaintiff had been rejected, I despaired of being able to wait on your Lordship, according to your Desire: And as I did not question, but I had been sent out of the Way designedly, that *Vaughan*, with the Help of his Brethren, might make a triumphant Appearance in my Absence, I entreated your Lordship to suspend the Proceedings on this Affair, till I was present; for I little imagined then, my Lord, that their Artifices would have succeeded so far as to keep me Two Years and Seven Months under Confinement. Being late in the Evening when I sent your Lordship this Answer in Substance, I had not Time to keep a Copy of it. However, I had the Pleasure to hear from Mr. *Moore*, whom your Lordship was pleased to send to me a few Days after, that you agreed in Opinion with



with me, with respect to my Arrest; and that when *Vaughan* had waited on your Lordship, accompanied with *Burges*, *Moran*, &c. your Lordship deferr'd hearing them, until I should be present.

I cannot omit observing here, though with Surprize, that *Mr. Challoner* should have appear'd so strenuous a Stickler on their Side, as I am credibly inform'd he did on this famous Occasion; neither can I conceive, my Lord, what could induce that reputed pious Man to embark so far in the Interest of that Party, whose Practices and Actions have absolutely lost Sight of Christianity, unless it be what they themselves have since brag'd of, *viz.* that they have hope him to a Mitre, on *Dr. William's* Decease; if so, my Lord, *Deus sit propitius.*

AND permit me, my Lord, to give your Lordship a concise Detail of the Methods used to hinder me from ever appearing before your Lordship, or any where else out of the *Marshalsea* Prison.

I have had the Honour to observe to your Lordship already, that I had offer'd;

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when I was arrested, a Debt of Forty-six Guineas and upwards, for which, or the best Part thereof, I had unexceptionable Security; which Money was due to me for Translations done for a Foreigner. But this Foreigner having given me sufficient Room to be jealous of his Principles, I obliged him to give me Security for my Demands on him, who, by means of one Mr. *Morrice*, whom your Lordship knows very well, got acquainted with the rest of the *Hansbeian Tribe*, who encouraged him not to pay me without a Law-Suit. In the mean Time, I had otherwise raised half the Debt for which I was in Trouble, and made a fresh Offer to my Plaintiff thereof, together with an Assignment as heretofore. But this Proposition was also rejected. My Creditor's Attorney proceeded to Judgment and Execution against me, whereupon I made a Schedule according to the Lord's Act, which the next Term was accepted of by my Plaintiff, and another Creditor, by Name *Brown*, and one of *Vaughan's* Penitents, was brought into Court against me the same Day to lay a fresh Action on me. Having been put to all the Expences attending my Law-Suit,

besides

besides my Disgrace of being confined, my Plaintiff accepts of what I had before offer'd him, with this Difference though, that I had no ready Money then to give him, as I had when I made him the last Proposal. But my Attorney foreseeing the Cruelty of the Design, and that their Intention was to strip me of what I had in the World, and leave me with a fresh Action to perish in Prison in the late hard Frost, dissuaded me from signing the Schedule, by alledging the Law of Self-Preservation to me.

THIS Foreigner, who was under a Promise to pay my Plaintiff, the Debt being contracted for Victuals, Drink and Lodging, while I was engaged in the Translations for him, takes Advantage of my unhappy Situation, and privately pays Ten Pounds for all my Debt, for which my Plaintiff gave a Receipt, and afterwards assign'd over my Note to another Foreigner; and thus, my Lord, I was kept a Prisoner in the *Marshalsea* for Two Years, after my Debt had been paid out of what was justly due to me, so that without any other Cause of Action, than the Malice and Iniquity of my Persecutors, my



Plaintiff being one of their Penitents, I should never have enjoy'd my Liberty, if Providence had not declared for me, by enabling me to make this latter Part of this strange Scene appear to the worthy Judge of the *Marshalsea* Court, who there-upon order'd me to be discharged.

BUT, my Lord, before I could bring all this to bear, Providence declared also in another very material Point for me ; for the Chamberlain who lived at the Inn in the *Strand*, when *Vaughan* and his Lady frequented there, having some Papers relating to an Estate in *Yorkshire* to be copied for her and her Husband, she brought them to me for that Purpose, and gave the following Attestation to confirm, though still in Confinement, what I had advanced in my first and second Letters to your Lordship.

I do hereby certify and attest, that a tall *Irish* Gentleman, *Vaughan* by Name, and a Gentlewoman who pass'd for his Wife, did, in 1738 and 1739, frequently come to the ——— Inn in the *Strand*, where I was then Chamberlain, and that I put them constantly to Bed together : But that on Mr. *Dowdall's* having seen them come both together

gether towards the latter End of *July* 1739, to the said Inn, where they also lay together all that Night, the said Gentleman \* came some time afterwards, and told us, Mr. *Dowdall* had complain'd of him to certain Gentlemen his Acquaintance, for certain Practices carried on by him in the said Inn, which he did not care to explain to us in the Inn, therefore could not continue to be our Customer any longer. And this I can, and am ready to depose on Oath before any Magistrate. Witness my Hand this 20th Day of *May* 1741.

*Mary Killingbeck.*

Present *Thomas Stone.*

Soon after, I took the Liberty of sending this Certificate in a Letter to your Lordship, but find that no Use has been made of it, which obliges me to expostulate once more with your Lordship about this Affair. It is true, that as *Vaughan's* Conduct and Behaviour was all along uniform, he fell into more Disorders, which

\* This was after my Confinement.

obliged

obliged him, being no longer able to stand his Ground, to quit the Nation ; but, my Lord, this should not hinder your Lordship from proceeding to a Decision, and passing a Sentence according to the Merits of the Cause, since dead Persons, as well as those absent, are liable to the same.

THE Accomplices in the first Fact exposed here to your Lordship, are for the most Part in *London*. *Hansby* and *Delany* ply at Baron *W——r's* ; *Brown*, otherwise *Brenan*, at *Lincoln's-Inn-Fields* ; *Moran*, to a private Family in the City ; *Butler*, in *Golden-Square* Chapple ; *Burgefs* and *Bruce*, in private Families in the Country. Therefore, as they are in your Lordship's Jurisdiction, it is not doubted but your Lordship will call them to an Account for the same, and approve yourself an impartial Pastor and Prelate, and clear yourself from the Imputation of a Collusion, which otherwise your Lordship will be charged with, by not administering Justice when required, and prevent me from addressing myself to the Publick.

THAT



THAT Divine Assistance may herein,  
and in all other Undertakings, attend your  
Lordship, is the sincere Wish of,

*My L O R D,*

*Your Lordship's most obedient, and*

*most devoted humble Servant,*

J. Dowdall.

I waited for an Answer to the foregoing  
Letter with great Impatience, neither was  
my Surprize less, when I received the fol-  
lowing one.

*To Mr. J. Dowdall.*

*S I R,*

YOU will excuse me from giving any  
Answer or Opinion in the Case of Mr.  
*Dominick Fiaghny*, who died Intestate at  
*Montserrat*, in the Month of *September*  
1736, till I have heard the Claims of all  
the Parties concern'd, and taken Time to  
consider who is the Party injured.

AS for Mr. *Vaughan*, you know he is in  
*Ireland*, and I have Reason to believe he  
will come here no more. I am,

*S I R,*

*August 31,*

1742.

*Your affectionate Servant,*

B. White.

Reply

Reply to the foregoing Answer

To Mr. BO White.

Sept. 4. 1742.

My LORD,

UPON Perusal of your Lordship's Letter of the 31<sup>st</sup> ult. I imagined your Lordship had forgotten the Purport of mine relating to Messieurs *Hansby* and his Brethren's illegal Conduct, in pursuit of Mr. *Dominick Fiaghny's* Effects, to which they had no Title or Claim; but upon Reflection, I find your Lordship seems to admit, in some Measure, of their exploded Pretensions, when you say, "You can give no Answer or Opinion till you have heard the Claims of all the Parties concern'd, and taken Time to consider who is the Party injured."

I thought, as I still do, that I had sent your Lordship such authentick Testimonies, as would convince the most scrupulous Judge in all Europe, of the unwarrantable Steps taken by that Party, to possess themselves by Means of Forgery, Perjury, and Subornation of Perjury, of the  
said

said Effects ; and sure, my Lord, if their Title had been good, they could not be driven to such desperate and wicked Shifts, to endeavour to justify their groundless Claim. And having so clearly shewn the Misdemeanors committed by them, it surprized me, not a little, to find your Lordship say, " That you would hear Claims," which insinuates that your Lordship would hear that Party's imaginary Claim, (a Thing already determined by Law ) instead of administering Justice, as legally required of your Lordship, and inflicting due Punishment on the Authors of such atrocious Crimes, which, your Lordship seems to evade.

IT is true, Mr. *Vaughan* fled from Justice when he left *England*, but as Mr. *Challoner*, jointly with Mr. *Vaughan*'s Brethren, appear'd in his Behalf, when cited by your Lordship in the Month of *August* 1739, and at a Time when, on Account of my sudden and contrived Confinement that Affair could not be determined ; I therefore beg Leave to say, especially as those Gentlemen who appear'd for him on that Occasion, are upon the Spot, and may insit on his Innocence, since your Lordship has de-

G

clared



clared nothing to the contrary, that I know no Reason why your Lordship should not give a definitive Sentence in this Affair, *Juxta allegata & probata*, unless your Lordship intends to stifle the Prosecution, the Consequence whereof is but too obvious.

I have already mention'd to your Lordship, that Messieurs *Hansby* and *Delany* read Prayers at Baron *W—r's*; *Butler* in *Warwick-Street*; *Brown*, otherwise *Brenan*, in *Lincoln's-Inn-Fields*; where they are obliged to constantly attend. Your Lordship may easily, if you please, signify your Orders to them not as Claimants, that Point being out of the Question, but as Fomentors and Abettors of Forgery, Perjury, and Subornation of Perjury. *Burgefs*, *Moran* and *Bruce*, are in private Families in your Lordship's Jurisdiction, and no Doubt but like true Sons of the Church, they will acquiesce in your Lordship's Commands, especially in a Case of this Nature, or follow the Example of *Mulloy* and *Vaughan*.

THIS is all that I presume to require of your Lordship, which I think your Lordship obliged to do; neither do I know  
any

any Law, or Power, that can dispense with your Lordship from executing your Authority on this Occasion. I am,

*My LORD,*

*Your Lordship's most obedient, and*

*most humble Servant,*

J. Dowdall.

TO this Reply his Lordship was pleased to send Word, " That he would give " no other Answer but what he had already " sent ; " but as Mr. *Vaughan* is since return'd from *Ireland*, contrary to his Lordship's Expectations, it is to be hoped his Lordship will proceed in a different Manner, from what his Letter of the 31<sup>st</sup> of *August* seems to insinuate.

F I N I S.

and I am, or I hope, that you will find me  
your loving and affectionate son,  
John C. Smith.

101

San Antonio, Texas, U.S.A.

2000-2001

J. D. Donnell



1. 2. 3. 4. 5.



